



LOURDES A. LEON GUERRERO  
Governor (Maga'håga)

JOSHUA F. TENORIO  
Lieutenant Governor  
(Sigundo Maga'håga)

## DEPARTMENT of ADMINISTRATION

### GENERAL SERVICES AGENCY

Ahensian Setbision Hinirat  
148 Route 1 South Marine Corps Drive, Piti, GU 96915  
Telephone: (671) 475-1707/1708  
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EDWARD M. BIRN  
Director (Direktot)

BERNADINE C. GINES  
Deputy Director  
(Sigundo Direktot)

March 25, 2022

## GSA-015-22 Certified Toxicology Laboratory Testing Services

### Questions and Responses

The following questions were submitted by NMS Labs:

#### Question #1:

Due to the potential for international shipping/customs delays which will require respondents to ship approximately a week prior to the due date, would it be acceptable to submit the response electronically instead of in hard copy format?

#### OAG Response:

Yes, we will accept electronic submission of responses. Please submit responses via email to [IFBsubmissions@oagg Guam.org](mailto:IFBsubmissions@oagg Guam.org). (Please see attached Amendment #2)

#### Question #2:

Please confirm whether there is a relationship between this GSA contract opportunity and the U.S. GSA terms and conditions?

#### OAG Response:

The Federal GSA and the Local GSA are separate and apart.

#### Question #3:

Please confirm that pricing we submit will only be applicable to this specific opportunity and that other U.S. agencies will not have right or make any claim to the same pricing?

#### OAG Response:

The pricing provided on this IFB would be for Guam only.

#### Question #4:

Page 1. Please confirm that a surety bond is not required for this bid if the bidder can provide the bid guarantee in the form of a certified check from a US bank.

**OAG Response:**

A surety bond is not required. A bid guarantee is required and may be submitted in a form of a Cashier's Check or Certified Check, Letter of Credit, or surety Bond.

**Question #5:**

Page 1. & Page 25. Please confirm that a bid guarantee is not required for this opportunity if the proposed price is <\$25k? If required, can the Government please confirm whether a certified check from a U.S. Bank is acceptable to meet the bid guarantee requirement?

**OAG Response:**

Yes, local procurement does not require a bid guarantee if the total expected cost of the service/produce will not exceed \$25K. Yes, a certified check is acceptable to meet the bid guarantee requirement.

**Question #6:**

Page 1. Please confirm that if a bidder provides a certified check from a U.S. bank to meet the bid guarantee requirement, then the bidder is not required to provide items listed on page 1. Bid Guarantee/c. Surety Bond/items 1-3 nor page 23 are required to be submitted with the bid?

**OAG Response:**

Yes, a bid guarantee is a requirement for this bid. Please see response to item #4 and #5 for more details.

**Question #7:**

Pages 7-18. Can the Government please confirm whether the specified U.S. DOL Wage Determinations and benefits for Guam apply to contractors that would not propose to perform services in Guam under this contract and therefore would not propose to have any employees working in whole or in part in Guam under this contract?

**OAG Response:**

Yes, the company must meet the requirements for those that perform the services even if the work is not performed on Guam.

**Question #8:**

Page 25. Section 4. Licensing. Since we are not operating out of Guam, please confirm that this requirement can be omitted. Or alternatively, please provide the specific information on licenses required.

**OAG Response:**

Yes, the company must be able to comply with the Guam Licensing law. Bidder must be able to provide a current business license, and/or contractor's license, and/or specialty license in reference to supplies or services for this bid.



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#### Question #9:

Page 26. Section 24. Please confirm that the 24-hour notice prior to delivery is not required for electronic report delivery.

#### OAG Response:

No, twenty-four (24) hours for electronic report delivery is not required. (Please refer to Amendment #2)

#### Question #10:

Page 26. Section 26. Manufacturer's Certificate. This bid is for toxicology services and, thus, there is no manufacturer. Please confirm that this requirement can be omitted.

#### OAG Response:

A Manufacturer's certificate is not required. (Please refer to Amendment #2)

#### Question #11:

Page 27. Section 34. Compliance with Laws. In order to comply with certain laws and regulations can the Government confirm whether the samples submitted to the bidder will contain known or reasonably expected to contain an infectious biological agent? If so, a bidder based in the U.S. would require an import permit from the CDC. Permit labels would need to be with every set of shipped samples. The permit takes a couple months to apply/receive. If samples are not expected to contain an infectious biological agent, they would require to be accompanied by a letter of certification from where they are being shipped.

#### OAG Response:

The OCME can provide a letter with each sample that certifies it does not contain a known infectious biological agent

#### Question #12:

Page 28. Section 45. Please confirm that any renewals or extensions to this contract shall not exceed a total of 5 years? a. Will price increases be allowed in year 3, year 4, and year 5 upon mutual consent?

**OAG Response:**

Guam's local law does not allow contracts to exceed five (5) years. After the five-year period, we will be required to issue a new solicitation. Price increase may be allowed upon mutual consent. However, we would prefer to have those increases built into the proposal.

**Question #13:**

Page 30. Section 14. Will the Government consider receiving electronic invoices given potential delays caused by distance between the Contractor's headquarters and the Government?

**OAG Response:**

Yes, we will accept an electronic invoice. However, the invoice must contain the following certification: "This invoice is true and correct and payment has not been received."

**Question #14:**

Page 31. Section 19. Can the Government confirm that the U.S. DOL Wage Determinations for Guam would not apply to employees of a contractor that were not assigned to work directly on the contract on a full or part time basis?

**OAG Response:**

The DOL Wage Determination would apply only to those that work on the services provided to the Government of Guam.

**Question # 15:**

Page 32. Section 25. Please confirm that a Guam specific business license would not be required of a foreign corporation that would not be performing its services under this contract within the country. Please confirm that our current licenses and accreditations meet the licensing requirement for this bid.

**OAG Response:**

Current NMS Labs licensing and accreditations may meet the licensing requirements for this bid; however, a Guam's Business License is a requirement under this IFB and must be submitted prior to award of this contract. Information and instructions on how you can apply for a Guam Business license may be found on the link below:

<https://www.govguamdocs.com/revtax/docs/FormBL01InstructionswithApplicationandQuestionnaire1192020.pdf>

**Question #16:**

Page 33. Quantities. It is understood that the quantity listed in the bid document (5 Basic and 5 Expanded Postmortem blood panels) is OAG's initial purchase and that quantity may increase throughout the duration of the contract. Does the OAG have a better estimate of annual volume?

**OAG Response:**

No, this is a new program so we do not have empirical data on current or projected annual volume requirements.



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#### Question #17:

Who is the current vendor performing this work?

#### OAG Response:

At this time there is no current vendor performing this service. The contracted pathologist obtains the services through his personal account.

#### Question #18:

It is our current policy to retain samples for a period of 6 weeks prior to discarding the sample. Will this be acceptable?

#### OAG Response:

The six-week time frame is acceptable for most cases. In an event a longer period of time is required to retain samples, OAG will notify successful bidder.

*\*Note: Follow up clarifications relative to the responses provided are due no later than March 30, 2022 no later than 5:00 p.m. (ChST).*

ANITA T. CRUZ  
Acting Chief Procurement Officer

Please Print	
ACKNOWLEDGEMENT COPY (Re-fax to GSA)	
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Date:	_____
Company Name:	_____
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